

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
BALTIMORE DIVISION**

National Association of Diversity Officers  
in Higher Education, et al.,

Plaintiffs,

v.

Donald J. Trump, in his official capacity as  
President of the United States, et al.,

Defendants.

Civil Action No. 1:25-cv-333-ABA

**PLAINTIFFS' NOTICE OF SUPPLEMENTAL FACTS**

1. Plaintiffs wish to inform the Court of factual developments relevant to Plaintiffs' pending emergency motion for a status conference regarding this Court's preliminary injunction, ECF No. 68.
2. Plaintiffs submitted a grant agreement between HUD and the City and County of San Francisco as an attachment to their motion. *See* ECF No. 68-4. The agreement states that San Francisco must "certif[y] that it does not operate programs promoting diversity, equity, and inclusion that violate any applicable anti-discrimination laws." *Id.* Plaintiffs noted that this appeared to be directly contrary to the Court's Preliminary Injunction. ECF No. 68 at 3.
3. Unbeknownst to Plaintiffs' counsel, HUD informed Plaintiff Baltimore yesterday afternoon that it required Baltimore to sign a materially identical certification as had been provided to San Francisco. Declaration of Ernestina Simmons (Baltimore Declaration), ¶¶ 7, 11. A copy of that grant agreement is attached to the Baltimore Declaration as Exhibit B. It requires Baltimore to "certif[y] that it does not operate any programs promoting

diversity, equity, and inclusion that violate any applicable Federal anti-discrimination laws.” Baltimore Decl, Ex. B, at 3.

4. This agreement concerns a “Continuum of Care” grant that is used to provide services to people without permanent housing. Baltimore Decl. ¶¶ 3, 7.
5. Until Baltimore signs such agreements, it cannot recoup costs it has already expended for programs it supports through sub-recipients. Baltimore Decl. ¶ 12.
6. In addition, this morning, March 14, 2025, Defendants wrote to the Fourth Circuit, citing Plaintiffs’ filing at ECF No. 68, claiming it showed this Court’s improper use of its equitable powers. *See Nat’l Ass’n of Diversity Officers in Higher Educ. v. Trump*, 25-1189, ECF No. 27 (4th Cir. Mar. 14, 2025).
7. Plaintiffs filed a response to this letter in the Fourth Circuit, noting this imminent filing in the District Court. *See id.*, ECF No. 28.

Respectfully submitted,

/s/ Aleshadye Getachew

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Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on March 14, 2025, I electronically filed the foregoing letter with the Clerk of the Court by using the CM/ECF system. Service will be accomplished by the CM/ECF system.

/s/ Aleshadye Getachew

Aleshadye Getachew  
Counsel for Plaintiffs